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S/N 09/077,572PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael A. Apicella et al.

Examiner: S. Devi

Serial No.: 09/077,572

Group Art Unit: 1645

Filed: October 13, 1998

Docket: 875.001US2

Title: NON-TOXIC MUTANTS OF PATHOGENIC GRAM-NEGATIVE BACTERIAAMENDMENT & RESPONSECommissioner for Patents  
Washington, D.C. 20231

In response to the Office Action mailed October 11, 2000, Applicant respectfully requests that the Examiner consider and enter the following amendments and remarks in connection with the above-identified patent application.

IN THE SPECIFICATION

At page 9, line 6, after "location." please insert Nontypeable *Haemophilus influenza* strains 2019 B28 and 2019 B29 were deposited on November 14, 2000 with the American Type Culture Collection, 10801 University Blvd., Manassas, VA 20110-2209 under the provisions of the Budapest Treaty, and all restrictions will be irrevocably removed upon the granting of a patent on this application. Strain B28 has been accorded accession number PTA-2667 and strain B29 has been accorded accession number PTA-2668.

IN THE CLAIMS

Please amend the claims as follows. For the Examiner's convenience, all pending claims are presented below.

22. [Amended] A method of making a mutant endotoxin comprising
- mutating an *htrB* gene within a gram-negative bacterial pathogen to form an *htrB* mutant pathogen, wherein the *htrB* gene encodes an endotoxin lacking one or more secondary acyl chains of lipid A contained in a wild type gram-negative bacterial pathogen and lacking 3-hydroxy unsaturated C16 fatty acid substitutions on the lipid A as compared to a wild-type bacterial pathogen, and wherein the mutant endotoxin has